

Notice of Allowability

Application No.

09/914,995

Examiner

Anh Ly

Applicant(s)

BECKER ET AL.

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/09/2007.
2. ☒ The allowed claim(s) is/are 1,3-7, 15-19 and 25 (renumbered as 1-12).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/23/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This Office action is response to Applicants' AMENDMENT filed on 10/09/2007.
2. Claims 2, 8-14, 20-24 and 26-27 have been cancelled.
3. Claims 1, 3-7, 15-19 and 25 are allowed.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald J. Daley (Reg. No. 34,313) on TUE 10/23/2007 at 11:35AM.

The application has been amended as follows:

In the first line of claim 3, "the method as claimed in claim 3," is replaced with "the method as claimed in claim 1,"

Allowable Subject Matter

5. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 1, 3-7, 15-19 and 25 are allowed in light of the applicants' argument and in light of the prior arts of made record.

The following is an examiner's statement of reasons for allowance:

Art Unit: 2162

6. The closest prior arts, Pub. No.: US 2001/0037161 A1 to Hess et al. teaches an automation system having Movement Control (MC) application on an engineering system and for running of the MC application on a runtime system; providing basic object to the system; creating base object by entering the addressing or representation of objects, accessing or reading the object on the system and restoring each of the representatives by entering said information into itself, restoring the movement of application. Hess fails to teach supplying, for devices on which the automation objects run, an identifying designation of a type of respective device representative to the engineering system, creating, via the engineering system, corresponding device representatives for the designated types and entering, for each of the device representatives, a reference to the device, and having, based upon the reference, each device representative read out engineering information from the device, and in a second step for the restoration of representatives of the automation objects in the engineering system, the method further comprises, supplying, via the automation objects, an identifying designation of a type of respective representative to the engineering system, creating, via the engineering system, corresponding representatives for the designated types and, for each of the representatives, entering a reference to the automation object, and having, based upon the reference, each representative read out engineering information from the automation object.

These distinct features, in conjunction with all other limitations of the dependents and independent claims render claims 1, 3-7, 15-19 and 25 them allowable.

Art Unit: 2162


7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2162

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to (571) **273-4039** (unofficial fax number directly to examiner's office). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on **(571) 272-4107**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
OCT. 24th, 2007



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100